

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

*In re BAYCOL PRODUCTS LITIGATION*

MDL NO. 1431  
(MJD/SRN)

This Document Relates to:

**ORDER**

*Curtis Coates, et al., v. Bayer Corp., et al.*  
*(Plaintiff Donald Elkins only)*

Case No. 03-1175

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 10, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Donald Elkins [Doc. No. 192] is GRANTED;

2. Plaintiff Donald Elkins' action is DISMISSED WITH PREJUDICE; and

3. Plaintiff's counsel is required to pay the sum of \$102.80 to Bayer Corporation within 10 days of the District Court's Order should the District Court adopt this Report and Recommendation.

DATED: June 12, 2007.

s / Michael J. Davis  
Judge Michael J. Davis  
United States District Court Judge